

CIVIL PENALTY ASSESSMENT – IMMEDIATE \$500 AND REPEAT VIOLATIONS

FACILITY NAME		DATE
FACILITY ADDRESS		FACILITY #
CITY	STATE	ZIP CODE
		LICENSEE(S)

A Licensing Report (LIC 809 or LIC 9099) was issued on _____, giving notice of a violation for which a civil penalty is prescribed by California Health and Safety Code Section 1548(c), 1568.0822(c), 1569.49(c), 1596.99(c), or 1597.58(c).

IMMEDIATE \$500 VIOLATION

For a violation of: ☐ California Code of Regulations ☐ Health and Safety Code
☐ Interim Licensing Standard

CITATION

☐ An immediate civil penalty of \$500 is hereby assessed for the day of _____.

DATE

☐ A civil penalty of \$100 per day is hereby assessed for the period of _____ through _____.

DATE

DATE

This penalty is a continuation of a daily penalty that was first assessed on _____.

DATE

Number of days: _____ **x \$** _____ **per day = \$** _____ **total**

REPEAT VIOLATION

For a violation of: ☐ California Code of Regulations ☐ Health and Safety Code
☐ Interim Licensing Standard.

CITATION

A previous licensing report was issued on _____ giving notice of the same violation. Because you have been cited for repeating the same violation within 12 months, the following civil penalty shall be assessed until the violation is corrected.

DATE

☐ An immediate civil penalty of \$1,000 is hereby assessed for the day of _____.

DATE

☐ A civil penalty of \$100 per day is hereby assessed for the period of _____ through _____.

DATE

DATE

This penalty is a continuation of a daily penalty that was first assessed on _____.

DATE

Number of days: _____ **x \$** _____ **per day = \$** _____ **total**

DO NOT SEND PAYMENT UNTIL YOU RECEIVE AN INVOICE.

NAME OF LICENSING PROGRAM ANALYST	SIGNATURE OF LICENSING PROGRAM ANALYST	DATE
NAME OF FACILITY REPRESENTATIVE/TITLE	SIGNATURE OF FACILITY REPRESENTATIVE	DATE
NAME OF SUPERVISOR/TITLE (FOR INTERNAL USE ONLY)	SIGNATURE OF SUPERVISOR	DATE

CIVIL PENALTY ASSESSMENT – IMMEDIATE \$500 AND REPEAT VIOLATIONS EXPLANATION TO LICENSEE

An inspection was conducted at the above facility by a licensing evaluator. During that inspection one or more violations of licensing statutes, regulations, or interim licensing standards were identified. A civil penalty has been assessed for one of the following types of violations:

- Any violation that the department determines resulted in the injury or illness of a person in care.
- Fire clearance violations. (Does not apply to Family Child Care Homes)
- Absence of supervision.
- Accessible bodies of water.
- Accessible firearms, ammunition, or both.
- Licensing agent refused entry to facility or any part of a facility.
- The presence on the premises of a person subject to a department Order of Exclusion.

For a first-time violation of the cited statute, regulation or interim licensing standard, an immediate civil penalty of \$500 per violation has been assessed for one day only. Thereafter, a civil penalty of \$100 per violation per day will be assessed until you have confirmed to the satisfaction of the Department that the violation has been corrected. See California Health and Safety Code Section 1548(c), 1568.0822(c), 1569.49(c), 1596.99(c), or 1597.58(c).

For a repeat violation of the same statute, regulation or interim licensing standard within 12 months of a prior violation, an immediate civil penalty of \$1,000 per violation has been assessed for one day only. Thereafter, a civil penalty of \$100 per violation per day will be assessed until the violation is corrected. See California Health and Safety Code Section 1548(d), 1568.0822(d), 1569.49(d), 1596.99(d), or 1597.58(d)

IT IS YOUR RESPONSIBILITY to notify the Department in writing or by telephone when the required corrections have been made. For ongoing daily civil penalties, the penalty shall cease as of the day the Department receives evidence that the correction was made. If the Department is able to verify that the correction was made prior to the date on which the Department received the evidence, the civil penalty shall cease as of that earlier date.

You will receive an invoice in the mail once administrative appeals have been exhausted. Payment is due upon receipt of invoice. Unless payment arrangements have been made that are acceptable to the Department, a civil penalty not paid within 30 days of being billed will be subject to late fees. Payment must be made by a check or money order made payable to the "California Department of Social Services". Please write the facility number and invoice number on your check.

DO NOT SEND CASH.

NOTE: In addition to the imposition of civil penalties, California Health and Safety Code Sections 1550, 1569.50 and 1596.885 also authorize the suspension or revocation of a license based on licensing violations.

APPEAL RIGHTS

The licensee has a right without prejudice to discuss any disagreement concerning the proper application of licensing laws and regulations with the Department. The licensee may also request a formal administrative review of any civil penalty or deficiency, to be conducted by the Regional Manager. The licensee and Department shall adhere to the timeline listed below:

- Within 15 business days of receipt of this form, the licensee may request a formal review of any civil penalty or deficiency. The request must be made in writing and should be sent to the Regional Office that has jurisdiction over the facility. The licensee must include all available supporting documentation with the request for review.
- Within 30 business days of the request for review, the licensee may submit additional supporting documentation that was unavailable at the time of the initial request. The licensee may request an office interview to provide additional information.
- Within 30 business days of receiving the initial request from the licensee, the Department may request any additional information from the licensee deemed necessary to make its determination. The licensee shall provide this additional information within 30 business days of receiving the Department's request.
- Within 60 business days of the date when all necessary information has been provided to the Department by the licensee, the licensee shall be notified in writing of the Department's decision.

The Department has a duty to review the facts presented without prejudice. Upon review of the facts, the Department may amend or dismiss the civil penalty or finding of deficiency.

Within 15 business days of receiving the Regional Manager's decision, the licensee may further appeal the decision to the Program Administrator. The same timeline as above applies. The Program Administrator's decision is considered final, and concludes the licensee's administrative appeal rights